

REMARKS

The Applicant wishes to thank the Examiner for pointing out the formal matters that Applicant hopes the amendment to the specification cures.

Claim 1 is limited to the container ultimately housing all components, except decorative cord, the box is simply for protective and presentation purposes and in the end will be discarded.

As to the rejection of the claim1 on Singerman, in view of Heinze, III, and Umanoff claim 1 requires that the kit be assembled to reduce stress and ultimately to mailed to the recipient or hand delivered. The outer box disposable and for mailing and protective purposes only.

Singerman clearly teaches the use of a gift kit, to be utilized by a retailer to be sold to a customer whom assembles the kit comprising of food and gift items such as cheese, juice, nuts, chocolates, crackers, balls, golf balls, miniature footballs, baseballs, basketballs, books, plush toys, computer disks and cookies. Ultimately, none of the items end up in the bottle, the bottle houses juice specifically per the application but wine could even be substituted. The applicant's invention all items in the end, are housed in the container.

Umanoff clearly teaches the use of a paper to decorate the exterior of the container, in the images provided in the application it appears the container is a flower vase. In the end the message paper is used for decorative purposes on the outside the container, as gift wrapping, the message paper in the applicant's application ultimately has words written on it by the end user and inserted into the bottle.

Heinzz III clearly teaches away from the use of a container to be utilized as ultimately the wrapping for the greeting card

Neither Singerman, Heinz III, nor Umanoff teaches the use of a novelty message kit for the purposes of stress reduction, advertising premium, business gift, souvenir, invitation, promotional product or fundraising device. Nor do they teach the use of the container as the actual gift wrapping, or housing of the gift and/or the container is the gift itself.

Conclusion

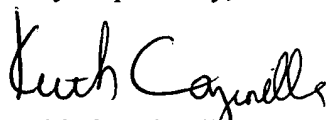
For all the above reasons, applicants submit that the specification and claims are now in proper form, and that the claim defines the patentably over the prior art.

Therefore Applicant submit that this application is now in condition for allowance, which action they respectfully solicit.

Conditional Request For Constructive Assistance

Applicants have amended the specification and claims of this application so that they are proper, definite, and define the novel structure which is also unobvious. If, for any reason this application is not believed to be in full condition for allowance, applicant respectfully request constructive assistance and suggestions of the Examiner pursuant to M.P.E.P. 2173.02 and 707.07(j) in order that the undersigned can place this application in allowable condition as soon as possible and without further proceedings.

Very respectfully,


Keith Cangiarella

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June 13, 2006 2006
